



New South Wales

Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024 No 59

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New South Wales

Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024 No 59

Act No 59, 2024

An Act to amend the *Crimes (Domestic and Personal Violence) Act 2007* to make further provision to protect persons from domestic and personal violence; and for related purposes.
[Assented to 27 September 2024]

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024*.

2 Commencement

This Act commences as follows—

- (a) for the following provisions—on 1 December 2024 or on an earlier day or days to be appointed by proclamation—
 - (i) Schedule 1[3],
 - (ii) Schedule 2.1, 2.2 and 2.4,
- (b) otherwise—on a day or days to be appointed by proclamation.

Schedule 1 Amendment of Crimes (Domestic and Personal Violence) Act 2007 No 80

[1] Section 3 Definitions

Insert in alphabetical order in section 3(1)—

serious domestic abuse prevention order—see section 87B.

[2] Section 4 Meaning of “personal violence offence”

Omit “or 14” from section 4(b). Insert instead “, 14 or 87E”.

[3] Section 8 Meaning of “stalking”

Insert after section 8(1)(b)—

- (b1) the monitoring or tracking of a person’s activities, communications or movements—
 - (i) whether by using technology or in another way, and
 - (ii) whether or not the monitoring or tracking involves contacting or otherwise approaching the person,

[4] Section 14 Offence of contravening apprehended violence order

Insert after section 14(1)—

- (1A) A person is guilty of an offence under this subsection if the person knowingly contravenes a prohibition or restriction specified in an apprehended domestic violence order made against the person with the intention of causing the protected person—
 - (a) physical or mental harm, or
 - (b) to fear for the protected person’s safety or the safety of another person.Maximum penalty—imprisonment for 3 years or 100 penalty units, or both.
- (1B) For subsection (1A)—
 - (a) a person intends to cause the protected person physical or mental harm, or the protected person to fear for the safety of the protected person or another person, if the person knows that the conduct is likely to cause the harm or fear, and
 - (b) the prosecution is not required to prove that the person actually caused the protected person physical or mental harm or the protected person to fear for the protected person’s safety or the safety of another person.
- (1C) A person is guilty of an offence under this subsection if—
 - (a) the person knowingly contravenes a prohibition or restriction specified in an apprehended domestic violence order made against the person, and
 - (b) on at least 2 other occasions within a period of 28 days immediately before the contravention, the person knowingly contravened a prohibition or restriction specified in—
 - (i) an apprehended domestic violence order in relation to the same protected person, or
 - (ii) the same apprehended domestic violence order, whether or not in relation to the same protected person, or

- (iii) an apprehended domestic violence order arising from the same application under Part 10, whether or not in relation to the same protected person, and
 - (c) a reasonable person would consider the conduct referred to in paragraphs (a) and (b) would be likely, in all the circumstances, to cause the protected person physical or mental harm, or the protected person to fear for the safety of the protected person or another person, whether or not the harm or fear was in fact caused.
- Maximum penalty—imprisonment for 5 years or 150 penalty units, or both.
- (1D) If, on a prosecution of a person for an offence under subsection (1A), the court or jury is not satisfied that the offence is proven but is satisfied that the person has committed an offence under subsection (1)—
 - (a) the court or jury may acquit the person of the offence under subsection (1A) and find the person guilty of an offence under subsection (1), and
 - (b) the person is liable to punishment accordingly.
- (1E) If, on a prosecution of a person for an offence under subsection (1C), the court or jury is not satisfied that the offence is proven but is satisfied that the person has committed an offence under subsection (1) or (1A)—
 - (a) the court or jury may acquit the person of the offence under subsection (1C) and find the person guilty of an offence under subsection (1) or (1A), and
 - (b) the person is liable to punishment accordingly.

Note— This section does not affect the common law in relation to double jeopardy.

[5] Section 14(2), (3), (4), (7) and (9)

Omit “subsection (1)” wherever occurring. Insert instead “subsection (1), (1A) or (1C)”.

[6] Section 14(8)(a) and (b)

Omit “subsection (1) or (9)” wherever occurring.

Insert instead “subsection (1), (1A), (1C) or (9)”.

[7] Sections 31 and 32

Omit the sections. Insert instead—

31 Service

- (1) A provisional order must be served on the defendant by a police officer as soon as practicable after it is made.
- (2) A provisional order is to be served on the protected person by a police officer as soon as practicable after it is made unless it is impracticable to do so.
- (3) A provisional order must be served on the defendant or protected person—
 - (a) personally, or
 - (b) by electronic means, but only if—
 - (i) the defendant or protected person has consented to service by the electronic means, and
 - (ii) the police officer has personally explained to the defendant or protected person—
 - (A) the effect of the provisional order, including any prohibitions and restrictions imposed by the order, and

- (B) the consequences that may follow from a contravention of the provisional order, and
 - (C) the rights of the defendant and the protected person in relation to the order.
- (4) A police officer may give a court proof of service of a provisional order in accordance with the rules of court applying to documents issued in proceedings before the court.

32 Powers of court in relation to provisional order

- (1) On the first return date for a provisional order, the court may—
- (a) dismiss the application taken to be made under Part 10, or
 - (b) revoke the provisional order, or
 - (c) make, in the same terms as the provisional order or with variations—
 - (i) an interim court order, or
 - (ii) a final apprehended violence order.
- (2) If the court does none of the things in subsection (1)(a)–(c)—
- (a) the provisional order becomes an interim court order—
 - (i) that is taken to have been made on the first return date, and
 - (ii) on the same terms as the provisional order, and
 - (b) further service of the order—
 - (i) is not required, if the provisional order was served on the defendant, and
 - (ii) is not required, if the defendant is present at court, whether the provisional order was served on the defendant or not, and
 - (iii) is required, if the provisional order was not served on the defendant and the defendant is not present at court.
- (3) If the court makes an interim court order or a final apprehended violence order under subsection (1)(c), the provisional order is revoked—
- (a) if further service of the order is not required—on the making of the order, or
 - (b) if further service of the order is required—when the order is served.
- (4) If the court makes an interim court order without variations, further service of the order—
- (a) is not required, if the provisional order was served on the defendant, and
 - (b) is not required, if the defendant is present at court, whether the provisional order was served on the defendant or not, and
 - (c) is required, if the provisional order was not served on the defendant and the defendant is not present at court.
- (5) If the court makes an interim court order with variations or makes a final apprehended violence order, further service of the order—
- (a) is not required, if the defendant is present at court, and
 - (b) is required, if the defendant is not present at court.

[8] Section 41 Measures to protect children in proceedings

Insert after section 41(1)(d)—

- (d1) a part of proceedings in which a serious domestic abuse prevention order is sought or proposed to be made in which a child appears as a witness,
- (d2) a part of proceedings in relation to an application for the variation or revocation of a serious domestic abuse prevention order in which a child appears as a witness,

[9] Section 41(4)

Omit “or (d)”. Insert instead “, (d), (d1) or (d2)”.

[10] Section 41(6)

Insert “or a serious domestic abuse prevention order” after “apprehended violence order”.

[11] Section 41AA Measures to protect young persons in proceedings

Insert after section 41AA(1)(d)—

- (d1) a part of proceedings in which a serious domestic abuse prevention order is sought or proposed to be made in which a young person appears as a witness,
- (d2) a part of proceedings in relation to an application for the variation or revocation of a serious domestic abuse prevention order in which a young person appears as a witness,

[12] Section 41A, heading

Insert “or serious domestic abuse prevention order” after “apprehended domestic violence order”.

[13] Section 41A(1)(a) and (b)

Insert “or a serious domestic abuse prevention order” after “apprehended domestic violence order” wherever occurring.

[14] Section 45 Publication of names and identifying information about children and other persons involved in proceedings

Insert “or serious domestic abuse prevention order proceedings” after “apprehended violence order proceedings” wherever occurring in section 45(1)(b) and (c) and (2)(b) and (c).

[15] Section 46 Right to presence of supportive person when giving evidence

Omit section 46(1). Insert instead—

- (1) In this section—
 - party*—
 - (a) to apprehended violence order proceedings, means the person for whose protection the relevant order is sought or the defendant, and
 - (b) to serious domestic abuse prevention order proceedings, means the following—
 - (i) the person against whom the order is sought or made,
 - (ii) a family member, within the meaning of Part 10A, of the person,
 - (iii) a former or current intimate partner of the person,
 - (iv) a person in a domestic relationship with an intimate partner of the person.

[16] Section 46(2)

Insert “or serious domestic abuse prevention order proceedings” after “apprehended violence order proceedings”.

[17] Part 10A

Insert after Part 10—

Part 10A Serious domestic abuse prevention orders

Division 1 Preliminary

87A Definitions

In this part—

appropriate court, in relation to an application for, or the making of, a serious domestic abuse prevention order against a person, means—

- (a) if the ground for making the order is that the person has been convicted of 2 or more domestic violence offences with a maximum penalty of 7 years imprisonment or more—the Local Court, or
- (b) if the ground for making the order is that the person has been involved in serious domestic abuse activity—the Supreme Court.

eligible applicant means any of the following—

- (a) the Commissioner of Police,
- (b) the Director of Public Prosecutions.

family member of a person means the following—

- (a) a person who is or has been a relative of the person
- (b) for a person who is an Aboriginal person or a Torres Strait Islander—a person who is or has been part of the extended family or kin of the person according to the indigenous kinship system of the person’s culture.

intimate partner, of a person (the **first person**), means a person who—

- (a) is or has been married to the first person, or
 - (b) is or has been a de facto partner of the first person, or
- Note—** “De facto partner” is defined in the *Interpretation Act 1987*, section 21C.
- (c) has or has had an intimate personal relationship with the first person, whether or not the intimate relationship involves or has involved a relationship of a sexual nature.

serious domestic abuse activity means anything done by a person that is or was at the time a serious domestic violence offence—

- (a) for which the person has been charged, and
- (b) whether or not the person—
 - (i) has been tried, or
 - (ii) has been tried and acquitted, or
 - (iii) has been convicted, even if the conviction has been quashed or set aside.

serious domestic abuse prevention order—see section 87B.

serious domestic violence offence means—

- (a) an offence under the *Crimes Act 1900*, Part 3 with a maximum penalty of 14 years imprisonment or more, if the offence is committed by a person against a family member or an intimate partner of the person, or
- (b) an offence under a law of the Commonwealth, another State or Territory or another jurisdiction that is similar to an offence under that part.

Division 2 Serious domestic abuse prevention orders

87B Making of serious domestic abuse prevention orders

- (1) An appropriate court may, on the application of an eligible applicant, make an order (a *serious domestic abuse prevention order*) against a specified person if—
 - (a) the person is at least 18 years of age, and
 - (b) the court is satisfied that, during the previous 10 years, the person, when at least 16 years of age—
 - (i) has been convicted of 2 or more domestic violence offences with a maximum penalty of 7 years imprisonment or more, or
 - (ii) has been involved in serious domestic abuse activity, and
 - (c) the court is satisfied there are reasonable grounds to believe that the making of the order would protect one or more of the following persons by preventing the person engaging in domestic abuse—
 - (i) a family member of the person,
 - (ii) a former, current or potential intimate partner of the person,
 - (iii) a person in a domestic relationship with an intimate partner of the person.
- (2) An application must include the following information—
 - (a) details of apprehended violence orders in force against the person, if any,
 - (b) details of orders made under the *Family Law Act 1975* of the Commonwealth against the person of which the applicant is aware.
- (3) If the ground relied on for an application for a serious domestic abuse prevention order against a person is that the person has been involved in serious domestic abuse activity for which the person has not been convicted of a serious domestic violence offence by reason of an acquittal or a conviction being quashed or set aside, the application must include the following information—
 - (a) the serious domestic violence offence of which the person was acquitted or the conviction of which was quashed or set aside,
 - (b) the court in which the person was acquitted of the offence or in which the conviction was quashed or set aside,
 - (c) the date on which the person was acquitted or on which the conviction was quashed or set aside.
- (4) Unless the appropriate court orders otherwise, the applicant must serve a copy of the application on the person against whom the serious domestic abuse prevention order is sought at least 14 days before the hearing date for the application.
- (5) The person against whom a serious domestic abuse prevention order is sought may appear at the hearing of the application and make submissions in relation to the application.

- (6) The court must have regard to the views of the following persons, if available to the court, in determining an application for a serious domestic abuse prevention order—
 - (a) a family member of the person,
 - (b) a former or current intimate partner of the person,
 - (c) a person in a domestic relationship with an intimate partner of the person.
- (7) In determining an application for a serious domestic abuse prevention order, the court may admit and take into account hearsay evidence despite any rule relating to the admission of hearsay evidence, whether under the *Evidence Act 1995* or otherwise, if—
 - (a) the court is satisfied that the evidence is from a reliable source and is otherwise relevant and of probative value, and
 - (b) the person against whom the order is sought to be made has been notified of, and served with a copy of, the evidence before its admission.
- (8) The applicant must ensure a serious domestic abuse prevention order is served, whether by the applicant or another person, on the person against whom it is made. The order must be served by means of personal service.

87C Content of serious domestic abuse prevention order

- (1) A serious domestic abuse prevention order may contain prohibitions, restrictions, requirements and other provisions as the court considers appropriate to prevent the person engaging in domestic abuse in relation to the following—
 - (a) family members of the person,
 - (b) former, current or potential intimate partners of the person,
 - (c) persons in a domestic relationship with an intimate partner of the person.
- (2) However, a serious domestic abuse prevention order must not contain provisions that require a person—
 - (a) to answer questions or provide information orally, or
 - (b) to answer questions, or to provide documents or other information, that are subject to client legal privilege (legal professional privilege), or
 - (c) to disclose protected confidences within the meaning of the *Evidence Act 1995*, Part 3.10, Division 1A, or
 - (d) to provide documents or other information that is held by the person in confidence as part of a banking business unless—
 - (i) the person to whom the confidence is owed has consented, or
 - (ii) the order specifically requires the provision or production of the documents or other information concerned, or documents or other information of the kind concerned, or
 - (e) to answer questions, or to provide documents or other information, that would result in a disclosure prohibited by a provision of another Act, other than the *Evidence Act 1995*.
- (3) Without limiting subsection (2), an answer, document or other information given by a person in compliance with a requirement of a serious domestic abuse prevention order (the ***compelled evidence***) is not admissible as evidence against that person in civil or criminal proceedings other than—

- (a) proceedings for an offence against section 87E, or
- (b) proceedings in which the person has adduced the compelled evidence.

87D Duration of serious domestic abuse prevention order

- (1) A serious domestic abuse prevention order—
 - (a) takes effect when it is served on the person against whom it is made or on a later date specified in the order, and
 - (b) once it takes effect, has effect for the period specified in the order.
- (2) The period specified in a serious domestic abuse prevention order for its duration must not exceed a period of 5 years.
- (3) Nothing in this section prevents the court from making a second or subsequent serious domestic abuse prevention order against the same person.

87E Offence—contravention of serious domestic abuse prevention order

- (1) A person against whom a serious domestic abuse prevention order is in effect must not knowingly contravene the order.
Maximum penalty—imprisonment for 5 years or 300 penalty units, or both.
- (2) A person is not guilty of an offence against subsection (1) unless the person was served with a copy of the serious domestic abuse prevention order or was present in court when the order was made.

87F Right of appeal in relation to making of serious domestic abuse prevention order

- (1) Each of the following persons may appeal against a decision of an appropriate court in relation to the making of a serious domestic abuse prevention order—
 - (a) the applicant for the order,
 - (b) the person against whom the order is made.
- (2) If the appropriate court that made the decision is—
 - (a) the Local Court—the appeal may be made to the Supreme Court, and
 - (b) the Supreme Court—the appeal may be made to the Court of Appeal.
- (3) An appeal lies as of right on a question of law and with leave on a question of fact.
- (4) An appeal as of right must be made within 28 days after the date on which the decision was made unless the court to which the appeal is being made grants leave for it to be made after that time.
- (5) On an appeal, a court may—
 - (a) confirm, vary or reverse the decision the subject of the appeal, and
 - (b) make a consequential or ancillary order.
- (6) The lodging of a notice of appeal under this section does not have the effect of staying the operation of the order concerned.
- (7) The court that made the order may, on application by the person against whom the order is made, stay the operation of the order, if satisfied that it is safe to do so, having regard to the need to prevent the person engaging in domestic abuse of one or more of the persons referred to in section 87B(1)(c).

- (8) A stay on the operation of the order continues until the appeal is finally determined, subject to any order or direction of the court to whom the appeal is made.
- (9) This section has effect despite the *Crimes (Appeal and Review) Act 2001*, section 63.

87G Variation or revocation of serious domestic abuse prevention order

- (1) The court that makes a serious domestic abuse prevention order may at any time vary or revoke the order on application by—
 - (a) the applicant for the order, or
 - (b) the person against whom the order is made.
- (2) An application for the variation or revocation of a serious domestic abuse prevention order may only be made by the person against whom the order was made with the leave of the court and leave is only to be granted if the court is satisfied there has been a substantial change in the relevant circumstances since the order was made or last varied.
- (3) The court, before varying or revoking a serious domestic abuse prevention order under this section, must—
 - (a) allow all parties to the proceedings for the original order a reasonable opportunity to be heard on the matter, and
 - (b) have regard to the same factors to which the court is required to have regard in considering whether or not to make a serious domestic abuse prevention order and the content of a serious domestic abuse prevention order, and
 - (c) have regard to the views of the following persons, if available to the court—
 - (i) a family member of the person,
 - (ii) a former or current intimate partner of the person,
 - (iii) a person in a domestic relationship with an intimate partner of the person.
- (4) An eligible applicant is entitled to appear in proceedings for a variation or revocation of a serious domestic abuse prevention order under this section.

87H Power of court to vary or revoke existing apprehended violence orders

- (1) The court that makes a serious domestic abuse prevention order against a person may, on application or on its own motion, vary or revoke an existing apprehended violence order made against the person if the court is satisfied that in all the circumstances it is proper to do so.
- (2) An eligible applicant is entitled to appear in proceedings for a variation or revocation of an existing apprehended violence order under this section.
- (3) Section 77 extends to a variation or revocation of an apprehended violence order under this section.

Division 3 Miscellaneous

87I Serious domestic abuse prevention orders prevail over apprehended violence orders

If a serious domestic abuse prevention order is inconsistent with an apprehended violence order, the serious domestic abuse prevention order prevails to the extent of the inconsistency.

87J Proceedings for serious domestic abuse prevention orders are civil and not criminal

- (1) For the purposes of this part, proceedings on an application for a serious domestic abuse prevention order are not criminal proceedings.
- (2) Except in relation to an offence against this part—
 - (a) the rules of construction applicable only in relation to the criminal law do not apply in the interpretation of the provisions of this part, and
 - (b) the rules of evidence applicable in civil proceedings, including as to the burden of proof, apply, and those applicable only in criminal proceedings do not apply, to proceedings under this part.

87K Rules of court

Rules of court may be made under the *Civil Procedure Act 2005*, the *Local Court Act 2007* and the *Supreme Court Act 1970* for or with respect to the practice and procedure to be followed in respect of proceedings under this part for serious domestic abuse prevention orders and any matters incidental to, or relating to, such practice and procedure.

[18] Section 104

Omit the section. Insert instead—

104 Review of Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024

- (1) The Minister is to review the provisions of this Act amended or inserted by the *Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024* (the *amending Act*) to determine whether the policy objectives of the provisions remain valid and whether the terms of the provisions remain appropriate for securing those objectives.
- (2) The review is to be undertaken as soon as possible after the period of 12 months from the commencement of all of the provisions of the amending Act, Schedule 1.
- (3) A report on the outcome of the review is to be tabled in each House of Parliament within 6 months after the end of the period of 12 months.

[19] Schedule 1 Savings, transitional and other provisions

Insert after Part 9—

Part 10 Provisions consequent on enactment of Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024

26 Contraventions of apprehended domestic violence order—section 14(1A) and (1C)

Section 14(1A) and (1C) do not apply in relation to a contravention of a prohibition or restriction specified in an apprehended domestic violence order that occurred before the commencement of the subsections.

Schedule 2 Amendment of other legislation

2.1 Bail and Other Legislation Amendment (Domestic Violence) Act 2024 No 30

[1] Schedule 1 Amendment of Bail Act 2013 No 26

Insert after Schedule 1[5], proposed section 28B(2)—

- (2A) If the grant of bail is subject to a condition referred to in subsection (2), the accused person must remain in custody until the person has been fitted with a device that permits the electronic monitoring of the person in accordance with the condition.

Note— See section 42 and the regulations, which provide that a person who has custody of an accused person granted bail must give a court notice that the accused person is still in custody within particular timeframes.

[2] Schedule 1[5], proposed section 28B(3)(b)

Omit “this section.”. Insert instead—

this section, or

- (c) prevents a bail authority from varying the bail conditions to which an accused person is subject, to allow the accused person to be released on bail without being subject to electronic monitoring, if there are sufficient reasons in the interests of justice for the variation.

[3] Schedule 1[6], proposed section 29(1)(f)

Insert at the end of the proposed paragraph—

Note— A bail condition that the accused person be subject to electronic monitoring may also be made under section 28B(2). If a bail condition is imposed under that section, it is not necessary for a bail authority to also impose the condition as a pre-release requirement under this paragraph.

2.2 Births, Deaths and Marriages Registration Act 1995 No 62

Section 28 Application to register change of child’s name

Insert after section 28(3)(a)—

- (a1) the parent has sole parental responsibility, under a final parenting order made under the *Family Law Act 1975* of the Commonwealth, to make decisions about—
- (i) major long-term issues for the child within the meaning of that Act, or
- (ii) the child’s name, or

2.3 Criminal Procedure Act 1986 No 209

[1] Section 289T Application of Division

Omit “offence.” from section 289T(1)(b)(ii). Insert instead—

offence,

- (c) serious domestic abuse prevention order proceedings but only if—
- (i) the person against whom the serious domestic abuse prevention order is sought is also charged with a domestic violence offence, and
- (ii) the alleged victim of the domestic violence offence is—

- (A) a family member of the person, or
- (B) a former or current intimate partner of the person, or
- (C) a person in a domestic relationship with an intimate partner of the person.

[2] Section 289T(3)

Insert after section 289T(2)—

- (3) In this section—
domestic relationship and *serious domestic abuse prevention order* have the same meanings as in the *Crimes (Domestic and Personal Violence) Act 2007*.
family member and *intimate partner* have the same meanings as in the *Crimes (Domestic and Personal Violence) Act 2007*, Part 10A.

[3] Schedule 1 Indictable offences triable summarily

Insert after Table 1, Part 4, item 18A—

18AB Crimes (Domestic and Personal Violence) Act 2007

An offence under the *Crimes (Domestic and Personal Violence) Act 2007*, section 87E.

[4] Schedule 1, Table 2

Insert after Part 1, item 2—

2A Offences relating to apprehended violence orders

An offence under the *Crimes (Domestic and Personal Violence) Act 2007*, section 14(1A) or (1C).

2.4 Evidence (Audio and Audio Visual Links) Act 1998 No 105

[1] Section 5BA Accused detainee to appear physically in physical appearance proceedings

Omit “any bail proceedings that” from section 5BA(2).

Insert instead “bail proceedings”.

[2] Section 5BA(2)(a)–(d)

Insert “that” before “occur” wherever occurring.

[3] Section 5BA(2)(d1)

Insert after section 5BA(2)(d)—

- (d1) if a Magistrate is not available at the court at which the accused detainee would, but for this paragraph, otherwise be required to appear physically, or

[4] Section 5BA(2)(e)

Insert “that” before “relate”.

2.5 Firearms Act 1996 No 46

[1] Section 4 Definitions

Insert in alphabetical order in section 4(1)—

serious domestic abuse prevention order means a serious domestic abuse prevention order under the *Crimes (Domestic and Personal Violence) Act 2007*.

[2] Section 11 General restrictions on issue of licences

Insert after section 11(5)(c)—

- (c1) is subject to a serious domestic abuse prevention order or who has, at any time within 10 years before the application for the licence was made, been subject to a serious domestic abuse prevention order, other than an order that has been revoked, or

[3] Section 24 Revocation of licence

Omit “or an apprehended violence order” from section 24(1).

Insert instead “, an apprehended violence order or a serious domestic abuse prevention order”.

[4] Section 29 General restrictions on issue of permits

Insert after section 29(3)(c)—

- (c1) is subject to a serious domestic abuse prevention order or who has, at any time within 10 years before the application for the permit was made, been subject to a serious domestic abuse prevention order, other than an order that has been revoked, or

[5] Section 44A Prescribed persons not to be involved in firearms dealing business

Insert after section 44A(3)(d)—

- (d1) is subject to a serious domestic abuse prevention order, or

[6] Section 75 Administrative reviews by Civil and Administrative Tribunal of certain decisions

Omit “or an apprehended violence order” from section 75(1)(c).

Insert instead “, an apprehended violence order or a serious domestic abuse prevention order”.

2.6 Weapons Prohibition Act 1998 No 127

[1] Section 4 Definitions

Insert in alphabetical order in section 4(1)—

serious domestic abuse prevention order means a serious domestic abuse prevention order under the *Crimes (Domestic and Personal Violence) Act 2007*.

[2] Section 10 Issuing of permit

Insert after section 10(3)(b)—

- (b1) is subject to a serious domestic abuse prevention order or who has, at any time within 10 years before the application for the permit was made, been subject to a serious domestic abuse prevention order, other than an order that has been revoked, or

[3] Section 18 Revocation of permit

Omit “or an apprehended violence order” from section 18(1).

Insert instead “, an apprehended violence order or a serious domestic abuse prevention order”.

[Second reading speech made in—
Legislative Assembly on 17 September 2024
Legislative Council on 24 September 2024]